

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

UNITED STATES OF AMERICA,

3:12-cv-02265-SI

Plaintiff,

[PROPOSED] ORDER

v.

CITY OF PORTLAND,

Defendant.

Robert Taylor, City Attorney; Heidi Brown, Chief Deputy City Attorney; Sarah Ames and Lisa Rogers, Deputy City Attorneys, OFFICE OF THE CITY ATTORNEY, 1221 SW Fourth Avenue, Room 430, Portland, OR 97204. Of Attorneys for Defendant.

Natalie K. Wight, United States Attorney, UNITED STATES ATTORNEY’S OFFICE, DISTRICT OF OREGON, 1000 SW Third Avenue, Suite 600, Portland, OR 97204; Laura L. Cowall, Deputy Chief; R. Jonas Geissler, Jared D. Hager, and Amy Senier, Trial Attorneys, Special Litigation Section; Civil Rights Division, UNITED STATES DEPARTMENT OF JUSTICE, 950 Pennsylvania Avenue, NW, Washington, D.C. 20530. Of Attorneys for Plaintiff.

Anil S. Karia, PUBLIC SAFETY LABOR GROUP, P.O. Box 12070, Portland, OR 97212. Of Attorneys for Intervenor-Defendant Portland Police Association.

J. Ashlee Albies, ALBIES, STARK & GUERRIERO, 1500 SW First Ave., Suite 1000, Portland, OR 97201; Rian Peck, VISIBLE LAW LLC, 333 SW Taylor Street, Suite 300, Portland, OR 97204. Of Attorneys for Enhanced *Amicus Curiae* Albina Ministerial Alliance Coalition for Justice and Police Reform.

Juan Chavez, Project Director and Attorney; and Amanda Lamb, Attorney, OREGON JUSTICE RESOURCE CENTER, P.O. Box 5248, Portland, OR 97204. Of Attorneys for *Amicus Curiae* Mental Health Alliance.

Michael H. Simon, District Judge.

On July 30, 2024, Plaintiff United States of America (United States) and Defendant City of Portland (City) (collectively the “Parties”) filed a Joint Motion (ECF 431) to amend the Amended Settlement Agreement (Agreement) that was previously entered as an Order of this Court (ECF 408). The Parties moved to amend Section VIII of the Agreement, addressing Officer Accountability, to conform with the City’s establishment of the Community Police Oversight Board approved by voters in November 2020.

The original version of the Agreement (ECF 4-1) has been amended four times following Fairness Hearings and this Court’s determinations that the proposed amendments are fair, adequate, and reasonable. This Court approved a first set of amendments to the Agreement on May 15, 2018 (ECF 171), a second set on September 23, 2021 (ECF 262), a third set on February 28, 2023 (ECF 354), and a fourth on January 26, 2024 (ECF 408).

On August 29, 2024, the Court held a Fairness Hearing to evaluate the Section VIII amendments. The Court received written and oral submissions from the United States, City, PPA, enhanced *Amicus Curiae* Albina Ministerial Alliance Coalition for Justice and Police Reform (AMAC), *Amicus Curiae* Mental Health Alliance (MHA), and many members of the public, before and during the hearing. For the reasons stated by the Court, the Parties, PPA, and other interested persons, both in writing and orally during the Fairness Hearing, the Motion is hereby GRANTED as follows:

The Court ORDERS that the further amendments to the Amended Settlement, which make changes to Section VIII regarding police accountability, are APPROVED.

The Court ORDERS that the Amended Settlement Agreement, Attachment 1 hereto, shall be and is entered as an Order of the Court, superseding the versions of the Agreement (ECF 4-1, ECF 171, ECF 262-1, ECF 354-1, and ECF 408-1) previously entered in this matter.

The Court ORDERS that, except for entering the Amended Settlement Agreement attached hereto, the provisions of this Court's July 30, 2015, Amended Order Entering Settlement Agreement, Conditionally Dismissing Litigation, and Setting First Annual Status Conference (ECF [99]) otherwise remain in force.

The Court further ORDERS that for the sake of clarity, provisions in Agreement Sections IV, V and VII that refer to the Compliance Officer Community Liaison (“COCL”) shall apply to the Monitor established under Section XII.

IT IS SO ORDERED.

DATED this ____ day of _____, 2024.

Michael H. Simon
United States District Judge